

Notice of Allowability	Application No.	Applicant(s)	
	09/589,666	BAWEJA ET AL.	
	Examiner	Art Unit	
	Quoc A. Tran	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board of Appeal Decision 7/27/06 & Appeal Brief 09/16/05.

2. ☒ The allowed claim(s) is/are 1-27 (Renumbering as 4-6,33,7-8,26,30,25,29,9-11,34,27,31,12-18,28,32,23-24 respectively).

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

REASONS FOR ALLOWANCE

Claims 4-18 and 23-34 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

In interpreting the claims in light of the specification and the Appeal Brief filed 09/16/2005 and Before The Board Of Patent Appeals And Interference Decision (RESERSED) 07/27/2006. The Board Of Patent Appeals And Interference Opinion,

Examiner of receiving the requested data faster is not found within the four corners of the Donoho reference (emphasis added). We find that the examiner has failed to set forth a convincing line of reasoning to support his theory of motivation in terms of either the nature of the problem to be solved or in terms of the general knowledge of a person of ordinary skill. We do not find that a reasonable motivation to combine Kikinis with the teachings of Donoho would have logically flowed from the nature of the problem to be solved, or would have otherwise fallen within the general knowledge of a Person of ordinary skill in the field of the invention, who having full knowledge of the Kikinis patent would have been motivated to look to Donoho to select particular elements, and to combine them as combined by appellants (emphasis added). Indeed, we find that Donoho is silent regarding any disclosure that specifically addresses the problem of how to display HTML web pages on small portable handheld computers with limited display capabilities. We therefore agree with appellants that the examiner has impermissibly used the instant invention as a template or guide to piece together the teachings of Kikinis and Donoho. **Accordingly, we will not sustain the examiner's rejection of any of the claims under appeal.**

We note that Appellants have argued two sets of dependent claims separately from the first argued group of all pending claims (brief, pages 6 and 71. Because we agree with appellants that independent claims 4, 9, 14, and 23 are not rendered obvious by Kikinis in view of Donoho, and because all of the argued dependent claims depend directly or indirectly upon one of independent claims 4, 9, 14, or 23, we need not reach the questions presented by appellants with respect to these dependent claims. Accordingly, we will not sustain the examiner's rejection of these dependent claims for the same reasons discussed supra with respect to representative claim 14. For at least the aforementioned reasons, we agree with appellants that the examiner has failed to meet his/her burden of presenting prima-facie case of obviousness. In summary, we will not sustain the examiner's rejection of any of the claims on appeal.

In addition the Examiner interprets the claimed invention such that, a second set of HTML tags is a condensed version of the first set within the HTML pair tags (i.e. <PDA>...</PDA>), wherein both set of HTML is predetermined in the original web document before resulting in the condensed version for display on a small and low resolution display devices such as Palm-Type device,

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```
<title>Movie Times</title>
<meta http-equiv="Content-Type" content="text/html;
  charset=iso-8859-1">
</head>
<body bgcolor="black">
<table width="600" border="0" cellspacing="0"
  cellpadding="0">
  <tr>
    <td colspan=2 width=600></td>
  </tr>
  <tr>
    <td width=277 valign=top></td>
    <td width=323 bgcolor=black valign=top>
      <p><font color="white" face="Arial, Helvetica,
        sans-serif" size="2">Showing
        at: <br>
        MY CREEK CINEMA <br>
        2224 Somestreet<br>
        </font><font color="white" face="Arial, Helvetica,
          sans-serif" size="2">
        Someplacein, TX 78746<br>
        </font><font color="white" face="Arial, Helvetica,
          sans-serif" size="2">
        512-333-2222 <br>
        ADULT $7.00, CHILD $4.50, BARGAIN BEFORE 5PM & amp; ALL
        DAY TUESDAY $4.50, FIRST MATINEE SHOWTIME $3.50,
        ADULT FRIDAY & amp; SATURDAY AFTER 5 PM $7.50 <br>
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<PDA>
Shows at:  MY CREEK CINEMA <br>
2224 Somestreet<br>
Somplacein, TX 78746<br>
512-333-2222 <br>
_____ <br>
Life as a Computer Prgrmr. (PG13) <br>
Showtimes:  <br>
02:25PM 04:55PM 09:55PM <br>
<br>
My Cat Fred (R)<br>
Showtimes:  <br>
2:45PM 03:30PM 05:15PM 07:00PM 07:45PM 9:30PM <br>
<br>
</PDA>
</body>
</html>
```

(See Applicant's Invention specification pages 7-8 and Fig. 2-3),

Examiner finds the claimed invention is patentably distinct from the prior art of record for at least the reason above.

The dependent claims, being further limiting to the independent claims, definite and enabled by the Specification are also allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8 AM to 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A, Tran
Patent Examiner
Technology Center 2176
August 18, 2006, 2006